

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

**FILED**

January 08, 2021

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

United States of America

v.

ALLEN JOSEPH MOLINAR

Case No.

7:21-MJ-003

BY: M. Ramirez  
DEPUTY*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 1, 2021 in the county of Ector in the  
Western District of Texas, the defendant(s) violated:*Code Section*

18 U.S.C. 922(g)

*Offense Description*

Felon in Possession of a Firearm

This criminal complaint is based on these facts:

See Affidavit

☐ Continued on the attached sheet.Attested to by applicant pursuant to Rule  
4.1 of Fed. R. Crim. P. by phone & email.

/s/ Brian Babcock

*Complainant's signature*

Brian Babcock, TXDPS CID Special Agent

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 01/08/2021City and state: Midland, Texas*Judge's signature*

Ronald C. Griffin

*Printed name and title*

**Affidavit**

7:21-MJ-003

1. Affiant, Brian Babcock, is a Texas peace officer employed by the Texas Department of Public Safety (DPS) and is currently assigned to the Criminal Investigations Division (CID) Special Agent (SA) in Midland, Texas. Affiant has been employed as a peace officer for approximately twelve (8) years with one (1) years of those years being a criminal investigator. Affiant has received education and undergone training in various aspects of illegal drug related activities and methods used by drug offenders to maintain their activities. In addition, Affiant has participated, assisted and led in investigations to include joint investigations with other local and federal law enforcement agencies in investigations of individuals who traffic in Methamphetamine and other illegal substances which involved surveillance, overt and covert operations, writing and serving search warrants, the arrest of individuals, interviewing and interrogation related to drug trafficking organizations.
2. The sole purpose of this affidavit is to establish that there is probable cause to believe that ALLEN JOSEPH MOLINAR engaged in specific criminal activity. This affidavit is made, in part, on the personal knowledge derived from participation in this investigation and, in part, upon information and belief. The source of information and belief are: oral and written reports about this investigation that have been received, either directly or indirectly from other local law enforcement officers. This affidavit does not contain all information known to law enforcement officers concerning this matter.

**Probable Cause**

3. On 01/01/2021, Texas Department of Public Safety (DPS) Texas Highway Patrol (THP) Odessa requested investigative assistance from DPS Criminal Investigations Division (CID) Special Agents (SA's) Brian Babcock in reference to the custody arrest of ALLEN JOSEPH MOLINAR.
4. At approximately 10:30 A.M. SA Babcock came into contact with THP Odessa Trooper Kobe Huett in reference to the custody arrest of ALLEN JOSEPH MOLINAR. Trooper Huett conducted a traffic stop on a vehicle for a speeding over limit violation (53MPH in a 35MPH zone) and a window tint violation ( confirmed at 13%). When Trooper Huett made contact with the driver, the driver admitted to having marijuana inside the vehicle. Trooper Huett detected a strong odor of marijuana emitting from inside the vehicle. The driver was identified as ALLEN JOSEPH MOLINAR. Trooper Huett conducted a probable cause search of the vehicle. Inside a black backpack, Trooper Huett located four clear plastic bags containing a white crystal substance that due to Trooper Huett's training and experience was believed to be methamphetamine. There were also several small plastic bags that were clean. ALLEN JOSEPH MOLINAR advised Trooper Huett that the black backpack belonged to him. ALLEN JOSEPH MOLINAR advised Trooper Huett that there was a bag of ammunition in the black backpack as well as a firearm in the glove box. Trooper Huett located a clear plastic bag containing 9mm rounds in the black backpack. Trooper Huett also located a Taurus 709 Slim 9mm Serial #TJY02118 in the glove box.

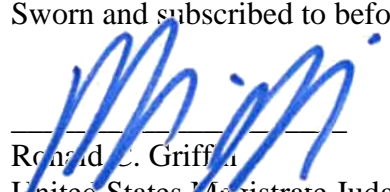
DPS Communications advised Trooper Huett that ALLEN JOSEPH MOLINAR was a felon. Trooper Huett transported ALLEN JOSEPH MOLINAR to the Odessa DPS Office where an interview was conducted by SA Brian Babcock.

5. At approximately 10:30 AM, SA Babcock arrived at the Odessa DPS Office and was briefed about the traffic stop and the elements of the offenses against ALLEN JOSEPH MOLINAR by Trooper Huett.
6. SA Babcock conducted an interview of ALLEN JOSEPH MOLINAR. ALLEN JOSEPH MOLINAR advised SA Babcock that the methamphetamine belonged to him and that ALLEN JOSEPH MOLINAR sells methamphetamine to people in Odessa. ALLEN JOSEPH MOLINAR advised SA Babcock that the Taurus 709 Slim 9mm Serial #TJY02118 belonged to ALLEN JOSEPH MOLINAR and that ALLEN JOSEPH MOLINAR purchased it from a friend. ALLEN JOSEPH MOLINAR has a felony conviction of POSS CS PG 1 <1G HSC 481.115(b) with a conviction date of 01/02/2020.
7. If convicted, MOLINAR faces up to 10 years imprisonment, up to 3 years supervised release, a \$250,000 fine, and a \$100 special assessment.
8. Prosecution authorized by Assistant United States Attorney Glenn Harwood

/s/ Brian Babcock  
Brian Babcock, Affiant,  
Special Agent, Texas DPS CID

Attested to by applicant pursuant to Rule  
4.1 of Fed. R. Crim. P. by phone & email.

Sworn and subscribed to before me on the 8th day of January, 2021.

  
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Ronald C. Griffin  
United States Magistrate Judge  
Western District of Texas